

REMARKS

Claims 2 and 4-6 are pending in this Application. Claim 3 has been cancelled. Claims 2 and 5 have been amended. Applicants submit that the present Amendment does not generate any new matter issue.

CLAIM REJECTION UNDER 35 U.S.C. § 102(b)

Claims 2-4 and 6 stand rejected under 35 U.S.C. § 102(b) as being clearly anticipated by Vuchelich (U.S. Patent No. 3,905,053). Claim 2 is directed to a mattress to be laid on a platform of an adjustable bed having a transformable bed surface. In an exemplary embodiment of the present application, the mattress has a fixture disposed on a surface facing the platform having a generally planar member and at least one projection portion configured to interlock with the mesh. The fixture secures the mattress by tightly fitting into one of more interstices of the mesh. Furthermore, the fixture is detachable (i.e. disengageable) from the platform.

With this arrangement, the mattress changes in shape in order to conform to the platform of the adjustable bed, and displacement of the mattress relative to the platform of the bed does not arise. The patient lying on the bed is able to make postural changes safely and properly. Because the fixture is disengageable from the platform of the bed, the mattress can be replaced and maintained (*see, for example*, pg. 13, line 15 – pg. 14, line 24 of the present application).

Vuchelich is directed to a convertible sofa bed (abstract). Vuchelich describes the mattress 18 fastened to the frame 16 by means of hooks 30 (col. 2, lines 4-10). Each hook 30 of Vuchelich attaches to the wire mesh 31 to fasten the mattress 18 to the frame 16 (Figs. 2 and 3). The hooks 30 of Vuchelich are metal fasteners (Fig. 6). Therefore, Vuchelich fails to disclose, "...a fixture disposed on a surface of the mattress facing the platform having a generally planar

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member and at least one projection portion configured to interlock releasably with the mesh” as recited in amended, independent claim 2.

ALLOWABLE SUBJECT MATTER

Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim. Claim 5 has been rewritten into independent form.

CONCLUSION

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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